

REMARKS

Claims 1, 5-14, 16, 18-39 are pending in this application after this amendment. Claims 2-4, 15, and 17 have been canceled without prejudice or disclaimer to the subject matter included therein. Claims 27-39 have been added. In light of the amendments and remarks included herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 1-2, 4-6, 14-15, 17-19, and 22 under 35 U.S.C. §103(a) as being unpatentable over *Dorenbos* (USP 5,751,813) in view of *Sekendur* (USP 5,852,434); rejected claims 3 and 16 under 35 U.S.C. §103(a) as being unpatentable over *Dorenbos* and *Sekendur* and further in view of *Jalili* (USP 6,209,104); and rejected claims 7-13, 20-21 and 23-26 under 35 U.S.C. §103(a) as being unpatentable over *Dorenbos* and *Sekendur* and further in view of Schneier ("Applied Cryptography"). Applicant respectfully traverses these rejections.

By this amendment, Applicant has amended the claims to more appropriately recite the present invention. It is respectfully submitted that these amendments are being made without conceding the propriety of the Examiner's rejections, but merely to timely advance prosecution of the present application.

Claim Rejections - 35 U.S.C. §103 - *Dorenbos/Sekendur*

By this amendment, Applicant has amended claim 1 to recite, *inter alia*, a method for secure wireless transmission of information from a digital pen to a receiving device, comprising sending the at least one absolute position recorded from the secure note to a database device, in which the at least one absolute position is associated with an address of the receiving device; receiving, in the digital pen, the address and an encryption key of the receiving device, from the database device; encrypting the message to be transmitted using the encryption key received from the database device; and transmitting the encrypted message to the receiving device.

In support of the Examiner's rejection of claim 1, the Examiner relies on the teachings of *Dorenbos* and *Sekendur*. The disclosure of *Dorenbos* is directed to an encryption server for encrypting messages. However, there is no teaching or suggestion in *Dorenbos* that is directed to sending the at least one absolute position recorded from the secure note to a database device, in which the at least one absolute position is associated with an address of the receiving device; receiving, in the digital pen, the address and an encryption key of the receiving device, from the database device; encrypting the message to be transmitted using the encryption key received from the database device; and transmitting

the encrypted message to the receiving device as recited in claim 1, as amended.

Sekendur fails to cure the deficiencies of the teachings of *Dorenbos* as *Sekendur* fails to teach or suggest these claim elements. As neither of the references, either alone or in combination, assuming these references are combinable, which Applicant does not admit, teach or suggest all of the claim elements, Applicant submits that claim 1, as amended, is not obvious over the references as cited.

It is respectfully submitted that claims 5-8 are allowable for the reasons set forth above with regard to claim 1 at least based upon their dependency on claim 1.

Claim 14 recites, *inter alia*, a device for secure wireless transmission of information from a digital pen to a receiver, comprising a database device, in which the at least one absolute position is associated with an address of the receiving device, a digital pen configured for obtaining a message from the absolute position coding pattern of the substrate and for receiving the address of the receiving device from the database device, encryption means, in the digital pen, for encrypting the message to be transmitted by an encryption key received from the database device; and a transmission channel from the digital pen to the receiving device for transmitting the encrypted message to the receiving device. For the reasons noted above with regard to claim

1, Applicant respectfully submits that the cited references fail to teach or suggest these claim elements. As such, Applicant respectfully submits that claim 14, together with claims dependent thereon, are not obvious over the references as cited.

New claim 27 recites, *inter alia*, sending at least one of the position indications to a database device; receiving from the database device an address of a receiving device which is associated with the at least one position indication and an encryption key relating to the receiving device; encrypting the message using the encryption key received from the database device, and, transmitting the encrypted message to the address of the receiving device. For the reasons noted above with regard to claim 1, Applicant respectfully submits that the cited references fail to teach or suggest these claim elements. As such, Applicant respectfully submits that claim 27, together with claims dependent thereon, are not obvious over the references as cited.

New claim 35 recites, *inter alia*, a system for secure transmission of information from a digital pen to a receiving device, comprising a digital pen, which is configured to obtain a message in the form of a plurality of position indications recorded from a position code on a substrate and to send at least one of the position indications to a database device, a database device, which stores an address of the receiving device associated with the at least one of the position indications, and which is configured to

send an encryption key relating to the receiving device and the address of the receiving device to the digital pen in response to the receipt of the at least one of the position indications, the digital pen being further configured to encrypt the message using the encryption key received from the database device and transmit the encrypted message to the address of the receiving device. For the reasons noted above with regard to claim 1, Applicant respectfully submits that the cited references fail to teach or suggest these claim elements. As such, Applicant respectfully submits that claim 35, together with claims dependent thereon, are not obvious over the references as cited.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.


Applicant respectfully petitions for a one (1) month extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). A check in the amount of \$120.00 in payment of the extension of time fee is attached.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees

required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  #40,439
Michael K. Mutter, Reg. No. 29,680


MKM/CMV/mmi
3782-0134P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000